

REMARKS

Claims 1 and 3-17 are pending. Claims 1, 10-12, and 15 have been amended. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Claim Objections

Claims 10, 11, and 15 were objected to for containing minor informalities. Applicant has corrected the informalities identified by the Examiner. Accordingly, Applicant respectfully submits that this objection is moot.

Claim Rejections Under 35 U.S.C. § 112

Claims 15-17 were rejected under 35 U.S.C. § 112, second paragraph. Applicant has amended claim 15 to correct the informality identified by the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claim Rejections Under 35 U.S.C. § 102

A. Claims 1, 3-9 and 11-17 were rejected under 35 U.S.C § 102(b) over Cronkhite (U.S. Patent No. 2,582,105). Applicant respectfully traverses this rejection.

As amended, claim 1 recites, in part, a valve assembly that comprises a housing having a passageway that extends through the housing, and having openings for liquid in the container to pass in and out of the passageway; a liquid inlet, forming part of the housing, the liquid inlet allowing fluid to pass into the passageway of the housing, and an inlet float valve mounted within the housing, the inlet float valve movable between an open position that permits the flow of liquid through the liquid inlet and into the passageway and a closed position that prevents the flow of liquid through the liquid inlet and into the passageway.

In contrast, Cronkhite discloses a device for shutting of the flow of liquid petroleum between 2 pipes. In particular, Cronkhite discloses a device 3 that is placed between pipes 1 and 2 to control the flow of liquid from pipe 1 to pipe 2.

Although the Office alleges that the endwall 7, 31, the chamber 32, port 24 neck/flange 19, 20, and float 33 are respectively analogous to the housing, passageway, openings, liquid inlet, and inlet float valve as claimed in claim 1, the elements identified by the Office do not correspond to the claimed features.

In particular, claim 1 recites a liquid inlet that allows fluid to pass into the passageway of the housing. However, as construed by the Office, the neck and flange 19, 20 do not allow fluid to pass into the chamber 32 at all. In fact, it is actually configured to allow fluid to pass out of the device 3 and into pipe 2. Additionally, claim 1 recites an inlet float valve movable between an open position that permits the flow of liquid through the liquid inlet and into the passageway and a closed position that prevents the flow of liquid through the liquid inlet and into the passageway. In Cronkhite however, the float 33, is configured to permit/prevent the flow of liquid through port 24, not the neck 19 and flange 20. The float 33 does not prevent the flow of liquid into the chamber 32 in either the open or closed position. In fact, because of the way device 3 functions, it would not be appropriate to prevent the flow of liquid into the passageway 32.

Accordingly, Cronkhite fails to disclose, or even suggest, the invention recited in claim 1.

Claims 11, 12, and 15 are believed to be allowable for at least the reasons presented above with respect to claim 1 since claims 11, 12, and 15 recite features similar to the features of claim 2 discussed above.

Claims 3-9, 13, 14, 16, and 17 are believed to be allowable for at least the reasons presented above with respect to claims 1, 11, 12, and 15 by virtue of their dependence upon claims 1, 11, 12, and 15. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

B. Claim 11 was rejected under 35 U.S.C § 102(b) over Kerlin (U.S. Patent No. 5,042,519). Applicant respectfully traverses this rejection.

As amended, claim 11 recites, in part, an assembly that comprises a housing having a passageway that extends through the housing; a liquid inlet, forming part of the housing, the liquid inlet allowing fluid to pass into the passageway of the housing;

and an inlet float valve mounted within the housing, the inlet float valve movable between an open position that permits the flow of liquid through the liquid inlet and into the passageway and a closed position that prevents the flow of liquid through the liquid inlet and into the passageway.

In contrast, Kerlin discloses a vent for a fuel tank. In particular, Kerlin discloses a device that allows gases and vapors to be vented from a tank during normal operation. Although the Office alleges that the float ball 58 disclosed in Kerlin is analogous to the inlet float valve recited in claim 11, the float ball 58 does not have a closed position that prevents the flow of liquid through the liquid inlet and into the passageway, as recited in claim 11. In particular, the float ball 58 disclosed in Kerlin is designed to cooperate with the check ball 62 to close vent 48. Float ball 58 is not configured to prevent liquid from passing through the liquid inlet. In fact, the float ball is floats so it will not be able to prevent liquid from passing through passageway 64.

Accordingly, Kerlin fails to disclose, or even suggest, the invention recited in claim 11. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claim Rejections Under 35 U.S.C. § 103

Claim 10 was rejected under 35 U.S.C § 103(a) over Cronkhite in view of Benjey (U.S. Patent No. 5,860,458). Applicant respectfully traverses this rejection.

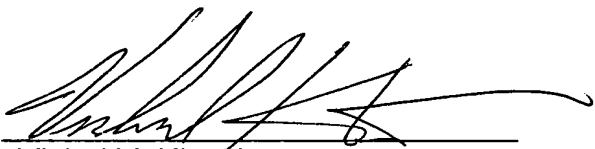
Claim 10 is believed allowable for at least the reasons presented above with respect to claim 1 since claim 10 is dependent upon claim 1 and Benjey does not remedy the deficiencies of Cronkhite discussed above with respect to claim 1. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Conclusion

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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Date: June 26, 2009